

MINUTES

BE IT REMEMBERED, That on this 22nd DAY of DECEMBER, 2009, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK

When the following were heard and the following orders were passed:

1. Call to Order.

Call to Order by Judge Hebert at 1:00 p.m.

2. Invocation and Pledge of Allegiance by Commissioner Meyers.

Invocation and Pledge of Allegiance by Commissioner Meyers.

3. Approve minutes of regular meeting held on December 15, 2009.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on December 15, 2009.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

4. Public Comments regarding the Agenda and Announcements.

No public comments.

December Service Awards were presented to county employees.

County offices will be closed December 24 - 25 and January 1.

Judge Hebert recognized John Van de Wiele, chairman of Fort Bend Green.

5. Public hearings: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:

A. Acceptance of the traffic control plan for Grand Corner Drive, Pct. 3.

B. Acceptance of the traffic control plan for Roesler Road, Pct. 1.

C. Acceptance of the traffic control plan for Grand Mission, Section 12, Section 14, Section 15 and Grand Mission Estates, Section 2, Pct. 3.

D. Acceptance of the traffic/safety study for the intersection of Gaston Road at Katy Flewellen Road for the installation of a multi-way stop, Pct. 3.

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5 A - D.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

CONSENT AGENDA ITEMS 6 - 16:

6. OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:

A. Community Development: Carol Borrego to New Orleans, Louisiana, April 10-13, 2010, to attend the American Planning Association 2010 National Planning Conference. (Fund: Community Development Block Grant)

B. District Attorney: Suzy Morton, Lisa Gregg, and Oshea Spencer to Santa Fe, New Mexico, January 31 through February 5, 2010, to attend seminar by National Center for Prosecution of Child Abuse. (Fund: District Attorney, Travel)

C. Human Resources: Kent Edwards to San Diego, California, June 26 through July 3, 2010, to attend Society of Human Resource Managers (SHRM) Annual Conference and Exposition. (Fund: Human Resources, Travel)

Item 6 continued - Out of State Travel:

D. Sheriff's Office:

1) Ratify travel by Brian Schmitt and Tim Morris to Thibodaux, Louisiana, December 16, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

2) Ratify travel by Garnie Waits and Sean Baudat to Bisbee, Arizona, December 21-22, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

7. COUNTY JUDGE:

A. Approve renewal of Interlocal Agreement between Fort Bend County and City of Sugar Land for the Municipal Court to participate in the Choices & Consequences program for FY10. (Fund: Choices & Consequences, Multi)

B. Approve the appointment of Judge Walter McMeans as the Court-at-Law representative to the Fort Bend County Bail Bond Board for calendar year 2010.

C. Approve the reappointment of Ann Werlein as designee of the County Judge for the Fort Bend County Bail Bond Board for calendar year 2010.

D. Approve Assistance Agreement between Fort Bend County and the U. S. Department of Energy to accept the Energy Efficiency Conservation Block Grant (EECBG) Award Number DE-EE0000916 in the amount of \$2,807,600, and authorize County Judge to electronically acknowledge grant and sign all documents pertaining to the Agreement. (Fund: EECBG)

8. COMMISSIONER, PCT. 4: Approve the reappointment of Marilyn Glover to the Fort Bend County Library Advisory Board for a three-year term, effective through December 2012.

9. BUDGET TRANSFERS:

A. Agri-Life Extension Office: Approve transfer in the amount of \$100 from Office Supplies into Information Technology to allocate additional funds for computer adapters.

B. Constable, Pct. 1: Approve transfer in the amount of \$2,156 from Property and Equipment into Capital Acquisitions to allocate additional funds for equipment on vehicle.

C. Constable, Pct. 2: Approve transfer in the amount of \$5,200 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

D. County Clerk:

1) Approve transfer in the amount of \$57,386 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

2) Approve transfer in the amount of \$71,700 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into Records Management, salary line items for temporary/part-time services budgeted for FY 2010.

3) Approve transfer in the amount of \$4,800 from Information Technology into Fees to reallocate funds into correct line item for expenditures.

Item 9D continued - Budget Transfers County Clerk:

4) Approve transfer in the amount of \$11,237 from Information Technology into Fees to reallocate funds into correct line item for expenditures.

E. District Attorney: Approve transfer in the amount of \$50,553 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

F. Elections Administration: Approve transfer in the amount of \$10,172 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

G. Facilities Management & Planning:

1) Approve transfer in the amount of \$13,481 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

2) Approve transfer in the amount of \$1,328 from FY 2009 Fees into Capital Acquisitions to allocate additional funds needed for previously unidentified underground utilities (phone lines).

H. Health & Human Services: Approve transfer in the amount of \$9,636 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

I. Health & Human Services – Social Services: Approve transfer in the amount of \$9,529 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

J. Human Resources: Approve transfer in the amount of \$2,000 as detailed on Human Resources form dated December 15, 2009, to allocate funds for Employee Enhancement into a new activity established to manage the funds.

K. Indigent Defense: Approve transfer in the amount of \$18,090 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

L. Justice of the Peace, Pct. 2: Approve transfer in the amount of \$19,115 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

M. Justice of the Peace, Pct. 3: Approve transfer in the amount of \$10,985 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

N. Juvenile Detention/Probation: Approve transfer in the amount of \$25,311 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

Item 9 continued - Budget Transfers:

O. Library: Approve transfer in the amount of \$573,819 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

P. Risk Management: Approve transfer in the amount of \$14,550 as detailed on Budget Officer's form dated December 15, 2009, to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.

Q. Sheriff's Office: Approve transfer in the amount of \$5,000 as detailed on Sheriff's form dated December 16, 2009, to allocate funds for the purchase of computer equipment and miscellaneous hardware for the Narcotics Task Force.

10. ENGINEERING:

A. Approve payment of Invoice No. T084344 (Pay Estimate No. 4) in the amount of \$4,976.25 to Terracon regarding Greenbusch Road, Phase I, (from Katy Flewellen Road to Shadow Forest), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)

B. Approve payment of Invoice No. 200911-125 (Pay Estimate No. 4) in the amount of \$273,368.20 to Durwood Greene Construction regarding Greenbusch paving and drainage, Mobility Bond Project #732, Precinct 4. (Fund: 2007 Mobility Bonds)

C. Approve payment of Invoice No. 155-2009-1094 (Pay Estimate No. 1) in the amount of \$2,500.00 to Integra Reality Resources regarding Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)

D. Approve application from Lem Construction Company, Inc. to construct a 60-inch outfall into Stafford Run Creek, Precinct 2.

E. Accept the streets in Mission Oaks, Section 1 and release bond #SU5003572 in the amount of \$319,060.00, Pct. 3.

Mission Oaks Drive	189.84 LF
Resada Park Lane	439.15 LF
Barton Point Lane	1,073.19 LF
Rollins Bend Lane	564.00 LF
Manchester Point Lane	851.56 LF
Brass Town Lane	124.49 LF
Dove Pass Court	94.79 LF
Garrett Green Lane	460.35 LF
Tararin Lane	179.60 LF
Scarlett Falls Lane	262.52 LF
Misty Prairie Lane	<u>180.28 LF</u>
TOTAL:	4,419.77 LF

Item 10 continued - Engineering:

F. Accept the streets in Mission Oaks, Section 2 and release bond #SU5010779 in the amount of \$386,600.00, Pct. 3.

Westmoor Drive	2,095.53 LF
Amy Point Lane	348.53 LF
Hollow Hill Lane	359.24 LF
Mission Bluff Lane	348.48 LF
Ruby River Lane	586.75 LF
Carroll Place Lane	306.97 LF
Green Trace Lane	298.81 LF
Sunshine Trace Lane	294.82 LF
Orchard Mist Lane	<u>548.55 LF</u>
TOTAL:	5,187.68 LF

G. Accept the streets in Cinco Terrace Drive at FM1093 Street Dedication and release bond #SU5025067 in the amount of \$36,610.00, Pct. 3.

Cinco Terrace Drive	522.68 LF
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H. Accept the streets in Cinco Terrace Drive Extension and Reserves and release bond #SU5023616 in the amount of \$124,320.00, Pct. 3.

Cinco Terrace Drive	1,607.88 LF
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I. Accept the streets in Cinco Ranch Southwest, Section 9 and release bond #SU5024648 in the amount of \$430,010.00, Pct. 3.

Downing Park Boulevard	1,386.48 LF
Jackson Park Lane	957.39 LF
Tyler Park Lane	1,369.66 LF
Humbolt Park Lane	<u>947.63 LF</u>
TOTAL:	4,661.16 LF

J. Accept the streets in Fry Road Street Dedication No. 3 and release bond #SU5022280 in the amount of \$308,700.00, Pct. 3.

Fry Road	2,135.80 LF
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K. Accept the streets in Cinco Ranch Boulevard at Falcon Landing Boulevard and release bond #SU5024591 in the amount of \$357,980.00, Pct. 3.

Cinco Ranch Boulevard	2,474.31 LF
Deermeadow Falls Lane	98.19 LF
Falcon Landing Boulevard	73.65 LF
Marbrook Meadow Lane	<u>74.27 LF</u>
TOTAL:	2,720.42 LF

L. Set public hearing for acceptance of the traffic control plan for Mission Oaks, Section 1 and Section 2, Pct. 3. (Tuesday, January 26, 2010, at 1:00 p.m.)

M. Set public hearing for acceptance of the traffic control plan for Cinco Terrace Drive at FM 1093 Street Dedication, Cinco Terrace Drive Extension and Reserves, Cinco Ranch Southwest, Section 9, and Cinco Ranch Boulevard at Falcon Landing Boulevard, Pct. 3. (Tuesday, January 26, 2010, at 1:00 p.m.)

Item 10 continued - Engineering:

N. Set public hearing for acceptance of the traffic control plan for Fry Road Street Dedication No. 3, Pct. 3. (Tuesday, January 26, 2010, at 1:00 p.m.)

- 11. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bonds and/or Capital Projects:**

A. Periodical Estimate No. 24 in the amount of \$2,068,915.09 to Turner Construction Company for construction services regarding the Jail Expansion Project;

B. Invoice No. 14 in the amount of \$7,668.00 to AutoArch Architects for professional services regarding the Missouri City Annex;

C. Invoice No. 3 and Invoice No. 8 for an amount totaling \$34,724.97 to Bailey Architects for architectural services regarding the Library at University of Houston, Sugar Land campus;

D. Invoice No. 3 in the amount of \$1,624.93 to Bailey Architects for architectural services regarding renovations to the Courthouse;

E. Invoice No. 11-9025 in the amount of \$635.00 to Brown & Gay Engineers, Inc. for professional services regarding the Library at University of Houston, Sugar Land campus;

F. Invoice No. 09-847 in the amount of \$400.00 to CCI Code Consultants, Inc. for professional services regarding the Missouri City Annex;

G. Invoice No. 642 in the amount of \$2,750.00 to Cornerstone Glass & Mirror, for patrol building furniture, fixture, and equipment costs associated with the Jail Expansion Project;

H. Invoice No. 1167271-IN and Invoice No. 1167269-IN for an amount totaling \$5,500.00 to International Code Council, Inc. for professional services regarding the Justice Center;

I. Invoice No. TMG-499 in the amount of \$5,351.37 to The Maddox Group for professional services regarding the Sienna Library;

J. Invoice No. 10027340, Invoice No. 10027352, and Invoice No. 10027352-E for an amount totaling \$62,873.48 to PGAL for professional services regarding the Justice Center;

K. Invoice No. 09-31784 in the amount of \$17,571.00 to QC Laboratories for professional services regarding the Justice Center;

L. Invoice No. 09-31977 in the amount of \$734.00 to QC Laboratories for materials testing regarding the Missouri City Annex;

M. Invoice No. 2003-003-CA13 and Invoice No. 2003-003-CA14 for an amount totaling \$16,711.59 to STOA for architectural services regarding the Sienna Library

N. Invoice No. 4543 in the amount of \$92,272.48 to Total Technologies for voice/data cabling performed for the Missouri City Annex.

12. **HUMAN RESOURCES:** Approve application for withdrawal of 220 hours from the Shared Sick Leave Pool for Employee of Sheriff's Office, Position No. 5601-0329.
13. **JUSTICE OF THE PEACE, PCT. 1, PL. 2:** Record into Minutes the Bond and Oath of Sara Rosas Boone to serve as Temporary Justice of the Peace, Precinct 1, Place 2, while Judge Gary Geick is on medical leave, effective December 16, 2009, for a term not to exceed three months.
14. **PURCHASING:**
 - A. Approve renewal of Interlocal Agreement between Fort Bend County and City of Arcola for the purchase of goods and services.
 - B. Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:
 - 1) WebEOC (Emergency Operations Center) Technology Center for Sheriff's Office; and
 - 2) Investment Broker/Dealers.
15. **ROAD & BRIDGE:** Approve renewal of Primary Interlocal Agreement between Fort Bend County and Fort Bend Independent School District.
16. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on December 15, 2009, for an amount totaling \$21,114.01.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 9G1 and 9H - 16 with correction to 10C - Integra Realty Resources.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 9G2 pulled.

17. COUNTY JUDGE:

A. Take all appropriate action on Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green, a 501(c)(3) corporation, in the amount of \$75,000 effective through September 30, 2010. (Fund: Non-Departmental, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green, a 501(c)(3) corporation, in the amount of \$75,000 effective through September 30, 2010. (Fund: Non-Departmental, Fees)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

B. Take all appropriate action on Resolution to nominate Judge Robert Hebert to serve on the Conference of Urban Counties Policy Committee as Fort Bend County Representative for the 2010-2011 term.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Resolution to nominate Judge Robert Hebert to serve on the Conference of Urban Counties Policy Committee as Fort Bend County Representative for the 2010-2011 term.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

18. COMMISSIONER, PCT. 1:

A. Take all appropriate action to appoint Wanda Andel and Frankie Gallia to the Fort Bend County Emergency Services Dist No 3 Board of Commissioners for a two year term, to expire Dec 31, 2011.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to appoint Wanda Andel and Frankie Gallia to the Fort Bend County Emergency Services District No. 3 Board of Commissioners for a two year term, to expire December 31, 2011.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 18 continued - Commissioner Pct. 1:

B. Take all appropriate action to accept and approve the Ground Lease Agreement between Fort Bend County and Veterans of Foreign Wars, Post No. 3903.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept and approve the Ground Lease Agreement between Fort Bend County and Veterans of Foreign Wars, Post No. 3903.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

19. COMMUNITY DEVELOPMENT: Take all appropriate action on Agreements between Fort Bend County and the entities listed below, all of which are part of the FY 2009 Consolidated Action Plan approved by Commissioners Court on July 7, 2009, and funded by Community Development Block Grant programs, and authorize County Judge to sign all documents pertaining to the agreements:

A. City of Rosenberg for the installation of sanitary sewer improvements, Phase V, in the amount of \$210,000

B. City of Richmond for the installation of sanitary sewer improvements, Phase I, in the amount of \$203,128.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 19 A - B.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 20. CONSTABLE, PCT. 4: Take all appropriate action on request to transfer the amount of \$10,704 from Non-Departmental Contingency into Capital Assets to allocate additional funds needed for replacement of vehicle.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$10,704 from Non-Departmental Contingency into Capital Assets to allocate additional funds needed for replacement of vehicle.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 21. COUNTY CLERK: Take all appropriate action on Customer Agreement between Fort Bend County and Texas NICUSA, LLC using Department of Information Resources (DIR) Contract No. DIR-SDD-IC417 to allow the County Clerk and the District Clerk to continue accepting electronic submission of court documents.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Customer Agreement between Fort Bend County and Texas NICUSA, LLC using Department of Information Resources (DIR) Contract No. DIR-SDD-IC417 to allow the County Clerk and the District Clerk to continue accepting electronic submission of court documents.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 22. ENGINEERING: Take all appropriate action to authorize the Fort Bend County Engineer to negotiate an engineering contract with AECOM for Old Richmond Road (from FM 1464 to Voss Road) Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the Fort Bend County Engineer to negotiate an engineering contract with AECOM for Old Richmond Road (from FM 1464 to Voss Road) Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 23. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed this item at their regular meeting held on December 16, 2009, and makes the following recommendation to Commissioners Court:**

A. Approve Order Adopting Fort Bend County Toll Roads Non-Revenue and Discount Usage Policy.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to Approve Order Adopting Fort Bend County Toll Roads Non-Revenue and Discount Usage Policy.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Note: New state law allows disabled veterans, Purple Heart recipients and Medal of Honor recipients to travel all toll roads in Texas free of charge.

Item 23 continued - Fort Bend County Toll Road Authority:

B. Approve Engagement Letter with Joyce, McFarland & McFarland LLP for condemnation and right-of-way acquisition matters for Fort Bend Parkway Segments A and B.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Engagement Letter with Joyce, McFarland & McFarland LLP for condemnation and right-of-way acquisition matters for Fort Bend Parkway Segments A and B.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 24. HUMAN RESOURCES: Take all appropriate action on request to reclassify Position No. 5051-0006 in the Purchasing Department from Administrative Secretary, Grade 7 of the Administrative Clerical Policy Group to Administrative Assistant, Grade 9 of the Administrative Clerical Policy Group and eliminate Position No. 5051-0011, Clerk II, Grade 6 of the Administrative Policy Group, effective December 26, 2009.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5051-0006 in the Purchasing Department from Administrative Secretary, Grade 7 of the Administrative Clerical Policy Group to Administrative Assistant, Grade 9 of the Administrative Clerical Policy Group and eliminate Position No. 5051-0011, Clerk II, Grade 6 of the Administrative Policy Group, effective December 26, 2009.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 25. JUSTICE OF THE PEACE, PRECINCT 1, PLACE 2: Take all appropriate action on request to transfer the amount of \$10,058 from Non-Departmental Contingency into Justice of the Peace, Pct. 1, Pl. 2, salary line items as detailed on Budget Officer's form dated December 16, 2009, to allocate funds for interim Justice of the Peace.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$10,058 from Non-Departmental Contingency into Justice of the Peace, Pct. 1, Pl. 2, salary line items as detailed on Budget Officer's form dated December 16, 2009, to allocate funds for interim Justice of the Peace.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 26. LIBRARY: Take all appropriate action on the Texas State Library and Archives Commission Contract for the payment of funds to Fort Bend County for loaning or providing copies of library materials to all Texas public, academic, and special libraries effective through August 31, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Texas State Library and Archives Commission Contract for the payment of funds to Fort Bend County for loaning or providing copies of library materials to all Texas public, academic, and special libraries effective through August 31, 2010.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

27. PURCHASING:

A. Take all appropriate action on Second Amendment to Agreement between Fort Bend County and ACS Government Systems, Inc. for an amount not to exceed \$14,374.93 monthly. (Fund: Information Technology, Fees)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Agreement between Fort Bend County and ACS Government Systems, Inc. for an amount not to exceed \$14,374.93 monthly. (Fund: Information Technology, Fees)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

B. Take all appropriate action to authorize the purchase of one (1) Crown Victoria police package automobile for Constable Precinct 4, pursuant to Bid #03-001, for an amount not to exceed \$21,562.08. (Fund: Insurance and Constable Pct. 4)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Crown Victoria police package automobile for Constable Precinct 4, pursuant to Bid #03-001, for an amount not to exceed \$21,562.08 from Helfman. (Fund: Insurance and Constable Pct. 4)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

C. Take all appropriate action to authorize the sale of fifteen (15) Judge Booth Controllers (JBCs) to Montgomery County in an amount of \$1,400 each for a total of \$21,000.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the sale of fifteen (15) Judge Booth Controllers (JBCs) to Montgomery County in an amount of \$1,400 each for a total of \$21,000.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 27 continued - Purchasing:

D. Take all appropriate action on Agreement between Fort Bend County and IDC, Inc. pursuant to SOQ #09-072 for Transportation Planning, Engineering, Environmental Analysis, and Design for Westpark, SH 90A, and FM 521 Park and Ride Projects, for an amount not to exceed \$1,634,556. (Fund: Transportation Grant)

Pulled.

E. Take all appropriate action to authorize the purchase of one (1) Reclaimer, utilizing Buy Board contract, for an amount not to exceed \$413,990. (Fund: Road and Bridge).

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Reclaimer, utilizing Buy Board contract, for an amount not to exceed \$413,990. (Fund: Road and Bridge).

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

F. Take all appropriate action on Agreement between Fort Bend County and Zero to Three to provide services related to maltreated infants and toddlers program, for an amount not to exceed \$300,000 for a term of twenty-four months, beginning October 1, 2009. (Fund: Zero to Three Grant)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Zero to Three to provide services related to maltreated infants and toddlers program, for an amount not to exceed \$300,000 for a term of twenty-four months, beginning October 1, 2009. (Fund: Zero to Three Grant)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Note: Judge Pope will oversee this program.

G. Take all appropriate action on trade package submissions from J.E. Dunn for the Justice Center Project.

Pulled.

Item 27 continued - Purchasing:

H. Take all appropriate action on the following:

1) SOQ #10-030 for an Energy consultant;

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reject all bids for SOQ #10-030 for an Energy consultant.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

2) Bid #10-040 for Construction of Hike and Bike Trails in Buffalo Bayou Parks and Trail System;

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reject all bids and re-advertise for Bid #10-040 for Construction of Hike and Bike Trails in Buffalo Bayou Parks and Trail System.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

3) Bid #10-042 for Traffic Signalization Projects-Trammel-Fresno at Teal Bend Blvd/Chimney Rock Road and Trammel-Fresno at Winfield Lakes Trail/Liberty Square

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to award Bid #10-042 for Traffic Signalization Projects-Trammel-Fresno at Teal Bend Blvd/Chimney Rock Road and Trammel-Fresno at Winfield Lakes Trail/Liberty Square to Statewide Traffic Signals for \$99,464.65 for Teal Bend Blvd. and \$91,347.00 for Winfield Lakes.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 27 continued - Purchasing:

I. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item available from only one source for maintenance support from Tiburon, Inc., in an amount not to exceed \$166,000. (Fund: Sheriff, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item available from only one source for maintenance support from Tiburon, Inc., in an amount not to exceed \$166,000. (Fund: Sheriff, Fees)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

J. Take all appropriate action to authorize contract negotiations with CHM for inmate medical service for the Sheriff's Office pursuant to SOQ #09-099.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations with CHM for inmate medical service for the Sheriff's Office pursuant to SOQ #09-099.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 28. SHERIFF'S OFFICE: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$150.00 to Quantity Paint & Body for towing services received without a purchase order. (Fund: Sheriff, Enforcement, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$150.00 to Quantity Paint & Body for towing services received without a purchase order. (Fund: Sheriff, Enforcement, Fees)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 29. Approve Bills.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$6,974,826.09.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 30. Authorize County Auditor to pay and release time sensitive bills on December 31, 2009, to be ratified by Commissioners Court on January 5, 2010.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on December 31, 2009, to be ratified by Commissioners Court on January 5, 2010.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Recess:

Recessed at 1:21 p.m.

31. **Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**

§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

A. Contemplated litigation: Fort Bend Central Appraisal District Board of Directors appointment.
B. C.A. No. 04:09-CV-02273; Stacey St. Romain v. Fort Bend County Sheriff's Office, et al.; In the United States District Court for the Southern District of Texas, Houston Division.

Closed Session:

Convened at 1:31 p.m.

Adjourned at 1:39 p.m.

Reconvene:

Reconvened at 1:42 p.m.

32. **Reconvene Open Session and consider taking action on the following matters:**

§ 551.071. Consultation With Attorney.

A. Contemplated litigation: Fort Bend Central Appraisal District Board of Directors appointment.

No action.

B. C.A. No. 04:09-CV-02273; Stacey St. Romain v. Fort Bend County Sheriff's Office, et al.; In the United States District Court for the Southern District of Texas, Houston Division.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses for C.A. No. 04:09-CV-02273; Stacey St. Romain v. Fort Bend County Sheriff's Office, et al.; In the United States District Court for the Southern District of Texas, Houston Division in an amount not to exceed \$5,000.00.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

33. **Adjournment.**

Commissioners Court adjourned at 1:44 p.m. on Tuesday, December 22, 2009.